

Application No: 10/539,941
Amendment A

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Attorney Docket No: 3926.177

REMARKS

Claims 1-7 and 10-13 are pending in the application. Claims 1-2 and 7 have been amended. Claims 8-9 have been cancelled.

Claim Rejections - 35 U.S.C. § 102

Claims 1-10 and 12-13 are rejected under 35 U.S.C. 112 as being anticipated by Leuthold et al. (US 5,803,446).

Claims 1 and 7 have been amended to emphasize the adjustability of the intervals between the carrier units (16) in the transport direction (14) and the distance between the carrier elements (26) in a direction transverse to the transport direction. Claims 1 and 7 have also been amended to recite that the transport direction is obliquely upward.

The advantage of the adjustability of the positions of the carrier units/carrier elements is that different transport requirements can be fulfilled by the transport device (see paragraph [00011] of the specification). The advantage of the obliquely upward transport direction is that automatic centering of a respective group of panels within the transport device can be achieved (see paragraph [0008] of the specification).

The Examiner has stated that in Leuthold et al. the carrier elements 21 and 41 can be moved to any point along a transport direction and into and out of a transport direction (see the last two paragraphs on page 4 of the Office action). However, this has nothing to do with the adjustability of the intervals between the carrier units (16) in the transport direction (14) and the distance between the carrier elements (26) in a direction transverse to the transport direction (14) according to the present invention.

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Also, in Leuthold et al. the sheet material is moved within the input pocket vertically from the feed position to a singling position (see the abstract). In contrast, in the present invention the transport direction is obliquely upward. According to Merriam-Webster Online Dictionary, "oblique" means neither perpendicular nor parallel. Therefore, the vertical transport direction of Leuthold et al. cannot be considered as "oblique."

Further, in the present invention the carrier elements (26) project substantially perpendicular to the transport direction (14). The Examiner has referred to carrier elements 21, 41 in Leuthold et al. as projecting substantially perpendicular to the transport direction (see page 4, lines 5-6 of the Office action). However, it is noted that in Leuthold et al. the elements 21, 41 actually project in the same direction of the transport direction, namely vertically (see Fig. 6a).

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 and 7. Claims 1 and 7 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 7, they are believed to be patentable as well.

Claim Rejections - 35 U.S.C. § 103

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leuthold et al. in view of Lawson (US 3,162,292).

The dependent claim 11 is believed to be patentable due to their dependency on claim 7.

The Commissioner is hereby authorized to charge any fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 50-0951.

[WP377561;1]

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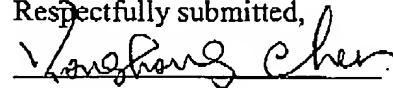
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Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Date: March 29, 2007

Respectfully submitted,



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